

First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

HOUSE ENROLLED ACT No. 1123

AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 9-19-14.5-1, AS AMENDED BY P.L.1-2006, SECTION 162, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 1. A privately owned vehicle belonging to a certified paramedic, certified emergency medical technician-intermediate, certified emergency medical technician-basic advanced, certified emergency medical technician, certified emergency medical service driver, or certified emergency medical service first responder while traveling in the line of duty in connection with emergency medical services activities may display flashing or revolving green lights, subject to the following restrictions and conditions:

- (1) The lights may not have a light source less than fifty (50) candlepower.
- (2) All lights ~~shall be placed~~ **must be prominently displayed** on the top of the vehicle.
- (3) Not more than two (2) green lights may be displayed on a vehicle and each light must be of the flashing or revolving type and visible at three hundred sixty (360) degrees.
- (4) The lights must consist of:
 - (A) a lamp with a green lens; ~~and not of an uncolored lens with a green bulb; or~~
 - (B) a green light emitting diode (LED).

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However, the revolving lights may contain multiple bulbs.

(5) The green lights may not be a part of the regular head lamps displayed on the vehicle.

(6) For a person to be authorized under this chapter to display a flashing or revolving green light on the person's vehicle, the person must first secure a written permit from the executive director of the department of homeland security to use the light. The permit must be carried by the person when the light is displayed.

SECTION 2. IC 9-21-5-6, AS AMENDED BY P.L.169-2006, SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 6. (a) Except as provided in ~~subsection~~ **subsections (e) and (f)**, whenever a local authority in the authority's jurisdiction determines that the maximum speed permitted under this chapter is greater or less than reasonable and safe under the conditions found to exist on a highway or part of a highway, the local authority may determine and declare a reasonable and safe maximum limit on the highway. The maximum limit declared under this section may do any of the following:

- (1) Decrease the limit within urban districts, but not to less than twenty (20) miles per hour.
- (2) Increase the limit within an urban district, but not to more than fifty-five (55) miles per hour during daytime and fifty (50) miles per hour during nighttime.
- (3) Decrease the limit outside an urban district, but not to less than thirty (30) miles per hour.
- (4) Decrease the limit in an alley, but to not less than five (5) miles per hour.
- (5) Increase the limit in an alley, but to not more than thirty (30) miles per hour.

The local authority must perform an engineering and traffic investigation before a determination may be made to change a speed limit under subdivision (2), (3), (4), or (5) or before the speed limit within an urban district may be decreased to less than twenty-five (25) miles per hour under subdivision (1).

(b) **Except as provided in subsection (f)**, a local authority in the authority's jurisdiction shall determine by an engineering and traffic investigation the proper maximum speed for all local streets and shall declare a reasonable and safe maximum speed permitted under this chapter for an urban district. However, an engineering and traffic study is not required to be performed for the local streets in an urban district under this subsection if the local authority determines that the proper

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maximum speed in the urban district is not less than twenty-five (25) miles per hour.

(c) An altered limit established under this section is effective at all times or during hours of darkness or at other times as may be determined when appropriate signs giving notice of the altered limit are erected on the street or highway.

(d) Except as provided in this subsection, a local authority may not alter a speed limit on a highway or extension of a highway in the state highway system. A city or town may establish speed limits on state highways upon which a school is located. However, a speed limit established under this subsection is valid only if the following conditions exist:

- (1) The limit is not less than twenty (20) miles per hour.
- (2) The limit is imposed only in the immediate vicinity of the school.
- (3) Children are present.
- (4) The speed zone is properly signed. **After June 30, 2011, there must be:**

(A) a sign located:

- (i) where the reduced speed zone begins; or**
- (ii) as near as practical to the point where the reduced speed zone begins;**

indicating the reduced speed limit; and

(B) a sign located at the end of the reduced speed zone indicating:

- (i) the speed limit for the section of highway that follows; or**
- (ii) the end of the reduced speed zone.**

- (5) The Indiana department of transportation has been notified of the limit imposed by certified mail.

(e) A local authority may decrease a limit on a street to not less than fifteen (15) miles per hour if the following conditions exist:

- (1) The street is located within a park or playground established under IC 36-10.
- (2) The:
 - (A) board established under IC 36-10-3;
 - (B) board established under IC 36-10-4; or
 - (C) park authority established under IC 36-10-5;
 requests the local authority to decrease the limit.
- (3) The speed zone is properly signed.

(f) A city, town, or county may establish speed limits on a street or highway upon which a school is located if the street or highway

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is under the jurisdiction of the city, town, or county, respectively. However, a speed limit established under this subsection is valid only if the following conditions exist:

- (1) The limit is not less than:
 - (A) twenty (20) miles per hour within an urban district; and
 - (B) thirty (30) miles per hour outside an urban district.
- (2) The limit is imposed only in the immediate vicinity of the school.
- (3) Children are present.
- (4) The speed zone is properly signed. After June 30, 2011, there must be:
 - (A) a sign located:
 - (i) where the reduced speed zone begins; or
 - (ii) as near as practical to the point where the reduced speed zone begins; indicating the reduced speed limit; and
 - (B) a sign located at the end of the reduced speed zone indicating the end of the reduced speed zone.

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Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Governor of the State of Indiana

Date: _____ Time: _____

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